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October 23, 2020

**VIA ECF**

Hon. Paul A. Engelmayer  
United States District Judge  
Southern District of New York  
Thurgood Marshall United States Courthouse  
40 Foley Square, Room 2201  
New York, NY 10007

Re: Goat Fashion Limited v. 1661, Inc., Case No. 19 Civ. 11045 (PAE)

Dear Judge Engelmayer:

This letter is submitted on behalf of Defendant 1661, Inc. in the above-referenced action. I write pursuant to Sections 4(B) and 6(B) of Your Honor's Individual Rules and Practices in Civil Cases to respectfully request the Court's permission to file a redacted version of the Declaration of Edward Lu in Further Support of Motion to Stay ("Lu Reply Declaration"), filed in connection with Defendant's Reply in Support of Its Motion to Stay Preliminary Injunction Pending Appeal ("Defendant's Reply").

1. Defendant seeks leave to redact portions of Paragraphs 4 and 6 of the Lu Reply Declaration. The redacted portions of these paragraphs discuss customer information designated as Confidential pursuant to the parties' stipulated Confidentiality Agreement and Protective Order (ECF No. 34) ("Protective Order"). This customer information is contained in Exhibits I and R to the Declaration of Thomas A. Telesca in Opposition to Defendant's Motion for Stay ("Telesca Decl.") (ECF Nos. 108), filed in connection with Plaintiff Goat Fashion Limited's Memorandum of Law in Opposition to the Motion for a Stay of the Preliminary Injunction (ECF No. 109). The Court granted Plaintiff's request for leave to file Exhibits I and R seal in their entirety (*see* ECF Nos. 110, 111-1, 111-5), and references to that same information in the Lu Reply Declaration should be sealed for the same reason.

2. Defendant also seeks leave to redact portions of the following paragraphs of the Lu Reply Declaration containing confidential and highly sensitive proprietary business information:

- Paragraph 2: The redacted portions of this paragraph discuss confidential and highly sensitive business information regarding inquiries from Defendant's customers and prospective customers. This information is Confidential pursuant to the Protective Order.

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- Paragraphs 9, 10, and 11: The redacted portions of these paragraphs discuss confidential and highly sensitive business information regarding Defendant's sales and transaction data. This information is Confidential-Attorneys' Eyes Only ("AEO") pursuant to the Protective Order.
- Paragraphs 12, 13, and 14: The redacted portions of these paragraphs discuss confidential and highly sensitive business information regarding Defendant's marketing strategy and budgeting. This information is AEO pursuant to the Protective Order.

Defendant also respectfully requests the Court's permission to file a redacted version of Defendant's Reply, which cites to information in the Lu Reply that Defendant has requested to be redacted, pursuant to the above.

This confidential and highly proprietary business information constitutes Confidential and/or AEO Information for purposes of the parties' stipulated Protective Order. Defendant's "privacy interests" in this confidential and highly proprietary business information warrant the proposed redactions. *Lugosch v. Pyramid Co. of Onondaga*, 435 F.3d 110, 120 (2d Cir. 2006); *see, e.g., Louis Vuitton Malletier S.A. v. Sunny Merch. Corp.*, 97 F. Supp. 3d 485, 511 (S.D.N.Y. 2015) (allowing redactions of confidential "business information" including "advertising expenditures and plans," "merchandising strategies," and "sales"); *GoSMiLE, Inc. v. Dr. Jonathan Levine, D.M.D. P.C.*, 769 F. Supp. 2d 630, 649-50 (S.D.N.Y. 2011) (sealing "highly proprietary material concerning defendants' marketing strategies, product development, costs and budgeting").

In accordance with Sections 4(B) and 6(B) of Your Honor's Individual Rules and Practices in Civil Cases, Defendant has (i) publicly filed this letter-motion, the Lu Reply Declaration with the proposed redactions, and Defendant's Reply with the proposed redactions on ECF, (ii) filed unredacted copies of the Lu Reply Declaration and Defendant's Reply on ECF under seal, and (iii) provided clean and highlighted versions of the Lu Reply Declaration and Defendant's Reply to the Court via email.

Granted.

SO ORDERED.



PAUL A. ENGELMAYER  
United States District Judge

October 26, 2020

Respectfully Submitted,

/s/ Jennifer L. Barry  
Jennifer L. Barry (*pro hac vice*)  
of LATHAM & WATKINS LLP

*Attorney for Defendant 1661, Inc.*

cc: All counsel of record (via ECF)